

REPORT - PLANNING COMMISSION MEETING
October 10, 2002

Project Name and Number: Studio 84 (PLN2003-00020)

Applicant: InTouch Entertainment Group LLC

Proposal: Karaoke and online gaming (similar to cyber café) facility

Recommended Action: Approve, based on Findings and subject to Conditions of Approval

Location: 34771 Ardenwood Boulevard

Assessor Parcel Number(s): 537-0521-033-00

Area: 4,000 square foot tenant space within an existing 20,752 square foot building on a 1.6 acre parcel.

Owner: Ardenwood Retail Associates

Agent of Applicant: Steven Sun

Consultant(s): Hau-Ching Liao, LHC Design

Environmental Review: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act Section 15301, Class 1, Existing Facilities.

Existing General Plan: Thoroughfare Commercial

Existing Zoning: P-89-2, Planned District

Existing Land Use: Shopping center with eating establishments, drive-through fast food, a gasoline service station, an amusement center (go karts and miniature golf), car wash facility, and a child daycare facility

PUBLIC HEARING NOTICE: Public hearing notification is applicable. A total of 106 notices were mailed to owners and occupants of property within 300 feet of the site on the following streets: Vane Common, Willbridge Terrace, Winslow Terrace, Ardenwood Boulevard, Roxie Terrace, and among others. The notices to owners and occupants were mailed on September 16, 2002. A Public Hearing Notice was delivered to The Argus on September 11, 2002, to be published by September 16, 2002.

EXECUTIVE SUMMARY: The Planning Commission is being asked to consider a minor amendment to P-89-2 for a karaoke and online electronic gaming facility. The request would, if approved, grant conditional approval of the proposed facility where operational conditions will be imposed to eliminate or mitigate adverse impacts the use may have on adjacent users and the public in general. Staff recommends the proposed project based on the following proposal and analysis that the use should be conditionally approved at the site requested.

PREVIOUS ACTIONS: In August of 1989, the City Council approved P-89-2 for the development of a retail/commercial center of approximately 71,601 square feet of floor area. In March of 1991, the City Council approved a major amendment to the planned district (P-89-2B) for a preliminary and precise site plan to permit a fast food, drive-through restaurant (Jack-In-The-Box). In September of 1991, the City Council approved a major amendment to the planned district to allow the development of a 18-hole miniature golf course, a go-cart track, batting cage facilities, and an arcade (now closed). Several subsequent amendments followed, whereby the Planning Commission approved amendments to the approved uses, site plan and architecture of the planned district. Of these, the Planning Commission approved four

amendments (P-89-2D, E, G, and PLN2002-00084) for the onsite sale and service of beer and wine in conjunction with four eating establishments.

At staff's request for additional time to review this proposed project, on September 26, 2002, the Planning Commission continued the item to the October 10, 2002.

PROPOSED PROJECT: The applicant, InTouch Entertainment Group LLC, has filed for a planned district minor amendment (in lieu of a Conditional Use Permit) to P-89-2 to operate a amusement and recreation facility, specifically a karaoke and online gaming (a cyber café without full internet access) facility, at 34771 Ardenwood Boulevard.

The Facility

The facility is located within a 4,000 square foot tenant space (1,000 SF mezzanine) that was previously occupied by a 8,160 square foot arcade approved as part of a major amendment to the Planned District (P-89-2C) back in September of 1991. No portion of the arcade remains in operation at the building. The requested minor amendment will only supercede that floor area portion as identified in Exhibit "A" of the previously approved major planned district amendment (P-89-2C) for the arcade.

The tenant space proposed for this use has two levels. The proposed use is located on the first level and is approximately 3,000 square feet. It includes 11 karaoke stations in different sizes, one 206 square foot online electronic gaming station, a café room (labeled as break room on plans), front lobby, restrooms and a janitorial room. The size of the 11 karaoke stations range from 63 square feet to 164 square feet. The tenant space is equipped with one entrance and two exits. The main entrance/exit is at the front of building at the lobby, and a second exit/supply service door is at the rear of the building. At the rear portion of the tenant space, there are stairs leading to the second level mezzanine (1,000 square feet) that will be used for storage purposes only, above the ground floor.

Proposed Operation

As indicated in their proposed "Business Operation" statement (Informational Enclosure), Studio 84 has three main service components: karaoke, online electronic gaming and a café (indicated as a break room on the plans).

The karaoke component encompasses a majority of the service provided at the tenant space. The applicant states that karaoke is a very popular social event. Typically, the customer base is comprised of young adults and according to the applicant, "singing their favorite songs is a way to reduce tension". Songs will be provided in many different languages. Overall, 11 karaoke stations are proposed, each of which contain one television, two or more speakers, a remote device or fixed remote box for song selection, karaoke mixer and at least two microphones. No Internet access or online gaming will be provided within these 11 karaoke stations, which are enclosed with observation windows. Customers would be charged based on a combination of a per diem or hourly basis and size of station chosen. The sizes of the karaoke station are provided in three sizes, ranging from small (63SF), medium (102-112 SF) and large (164 SF). The following hours of operation are proposed for the karaoke service: closed on Monday, 7p.m. to 11p.m. Tuesday through Thursday, 4p.m. to 2a.m. on Friday, 1p.m. to 2a.m. on Saturday, and 1p.m. to 11p.m. on Sunday. It is proposed that 3 employees will staff the operation Tuesday through Thursday and 3 to 5 employees on Friday through Sunday.

The second component to the operation is an online electronic gaming station approximately 226 square feet in area. The applicant indicates that the service is intended only to provide competitive, interactive games played online against friends or anonymous competitors in cyber space. The applicant adds that many cities, especially in the southern California, hold competitions to promote such games. It is proposed that only pre-selected online gaming portals (sites) may be engaged by patrons at the selected computer stations. A total of 14 online gaming terminals are all networked (linked) together around one table. The hours of operation for the online gaming service are proposed from 3 p.m. to 11 p.m., Tuesday through Sunday only.

Lastly, a café is anticipated within the "break room" as indicated in the floor plan. The café will be designed to provide coffee, sodas and snacks for customers as well as employees. The applicant does not propose to serve alcohol. The café will be open during all hours of operation. No details have been submitted for the layout of the café because the applicant states that the café will be constructed at a latter phase. Nonetheless, in anticipation of its construction, staff has included conditions relating to the café.

Security

Security is provided for the operation of the karaoke and online gaming facility. The owner of the site, Ardenwood Retail Associates, has an existing contract with a private security firm to monitor the entire shopping center. However, the shopping center is only provided with one security guard during the daytime hours. The applicant proposes to retain the service of a qualified private security firm to cover the evening hours of operation or hours left uncovered by the existing private security firm. This should ensure that at least one uniformed security guard will be present to respond to any emergencies and/or to maintain order for the facility during its hours of operation. Security cameras will also be installed within the tenant space to provide security and safety for all patrons and employees. View windows will be installed in all karaoke stations and the online gaming station for security purposes as well as observation mirrors within the hallway areas. Lighting within the facility, especially within the hallways and all stations, will be kept at a level sufficient to ensure the safety of patrons, employees, security and emergency personnel.

PROJECT ANALYSIS: Pursuant to Condition #5 of P-89-2 (Conditions of Approval), the uses permitted in this commercial center are those uses permitted under the Thoroughfare Commercial (C-T) District provided in the Zoning Ordinance. Under that condition, the proposed use in a Thoroughfare Commercial district would be conditionally permitted, requiring Planning Commission review and approval of a Conditional Use Permit. Because the proposed use is located in a commercial planned district, a minor amendment to the planned district is required in lieu of the Conditional Use Permit. The review of a conditionally permitted use provides an opportunity to conduct a detailed review of the proposal to assess compatibility issues, and to develop "Conditions of Approval" that will eliminate or mitigate any potential impacts to adjacent users and the surrounding area.

Karaoke centers, usually referred to as "karaoke bars" are popular among young adults. Likewise, online electronic gaming centers are also popular, but are new uses to many cities. Most cities require Conditional Use Permits or are reviewing their regulations for online electronic gaming facilities. The proposed Karaoke and online electronic gaming facility will be the first of its kind in this city. Although online electronic gaming centers are not arcades in the true sense of the word, they have many of the same impacts. These centers have replaced the 1980's arcade as a social entertainment activity. The City of Newark has a similar online gaming facility known as the "Cyberfun Café" (www.cyberfuncafe.com). Such facilities provide the latest online games, faster internet connection service and a place where individuals can participate in a group setting, attracting many young adults. To address the concerns of noise, safety, security and adverse impact on adjacent users, staff has applied conditions of approval generally typical of those applied to a video arcade.

Staff worked with the applicant to incorporate changes to the proposed floor plan to address safety concerns of patrons and employees and the impact of the proposed use to adjacent tenants. Safety measures such as the installation of observation mirrors in the hallways, observation windows in all karaoke stations and the online gaming station, a customer waiting area and money exchange permitted only in the lobby area, among others, are included to insure the safety of patrons and employees. The applicant has incorporated all of the suggestions provided by staff, except for an interior wall screening stations adjacent to the exterior display windows flanking the front main entrance. However, the applicant has agreed to remove the interior wall so that it remains clear and transparent, unobstructed by any signs, posters, etc. A condition is included to reflect this requirement (Condition 8)

Staff has reviewed issues such as noise, safety, security, surveillance of users, and the addition of an anticipated ancillary use of a café to serve patrons with nonalcoholic beverages and snacks. Conditions such as maintaining clear glass windows, soundproofed walls, a fire exit plan, at least one security officer on site at all operating times, adequate facility lighting, video surveillance, a required congregation area in lobby, restrictions on loitering, minors and hours of operation have all been added as conditions of approval (Conditions 1-28). Although the applicant proposes different hours of operation for the karaoke and online electronic gaming facility, staff suggests the following consistent hours of operation for the facility: 3p.m. to 11 p.m. Sunday through Thursday, except for Monday (closed), and 3 p.m. to 1a.m. Friday and Saturday. Due to safety concerns, such as nuisance and loitering, staff finds that the facility should be closed before 1:00 a.m. and not the proposed 2 a.m. closure time requested on Friday and Saturday. All customers will be required to be off the premises by 1:30 a.m. (Condition 5)

Staff finds that the existing security guard provided by the Ardenwood Retail Associates for the entire premises may also be used to provide security service for the proposed facility. However, the security guard hours provided by the Ardenwood Retail Associates does not extend until the proposed facility's closure time or may not be able to cover all days or hours of operation as proposed. Therefore, the applicant will be required, at their cost, to either (a) extend the

contract with the existing security firm as retained by the Ardenwood Retail Associates or (b) retain a different security firm qualified to cover any hours of operation left uncovered. Ultimately, the responsibility is upon the applicant/operator of the facility to provide adequate security at the facility by retaining at least one security guard during all hours of operation. The security guard shall be charged with preventing violations of law and enforcing compliance by patrons of the stated prohibitions for the facility and ensuring that all patrons have left the premises within 30 minutes after the facility's closure. The Security guard shall be uniformed in a manner distinct in color, style, design and appearance from a city police department or city uniform so as to be readily identifiable as a private security guard by the public and shall be duly licensed as a security guard as required by applicable provisions of state law. No security guard will be permitted to act as a door person, admittance person, or sole occupant of the manager's station while acting as a security guard. Additionally, the security guard may not engage in the online gaming, karaoke service provided at the facility or any other services within the shopping premises while on duty. (Condition 13)

Staff finds that the proposed use, as conditioned, is compatible for the planned district and its surrounding area. The shopping center is located at least 650 feet from the nearest residential development, abuts industrially zoned parcels to the east, open space to the northwest and Caltrans Park & Ride to the west. Appropriately, the use is conditioned to mitigate potential adverse impacts. Further, the use is in conformance with the general plan and zoning, as indicated below.

- (a) **General Plan Conformance:** The existing General Plan land use designation for the project site is C-T, Thoroughfare Commercial. The proposed project is consistent with the existing General Plan land use designation for the site because the use is conditionally permitted in this district and, with the incorporation of operational conditions, is appropriate for its location and surroundings. The General Plan Goals, Objectives and Policies under Chapter 3, *Land Use*, are applicable to the proposed project. Policy LU 2.28 states, in part, that *"...the thoroughfare designation shall apply to uses which primarily serve the traveling public..."*. The proposed use is appropriate for the center where the entertainment facility may provide service to the traveling public.
- (b) **Zoning Regulations:** The project site is zoned P-89-2 where the permitted uses are as those permitted under the Thoroughfare Commercial (C-T) District. In the C-T district, an amusement and/or recreation service requires a Conditional Use Permit approval by the Planning Commission to ensure that the use is compatible with and suitable with its location and surroundings.
- (c) **Parking and Access Analysis:** The amount of parking provided onsite was based on the requirement for a shopping center as set forth in the Ordinance (1 space per 250 square feet of gross floor area). The site provides 82 joint access parking spaces. The Zoning Ordinance does not specifically set minimum parking standards for karaoke or online electronic gaming facilities. Staff finds that the parking requirement should be based on the floor area distribution of the two uses at 1 space per 300 square feet of gross floor area, exclusive of the upper mezzanine storage area, for the karaoke portion and 1 space for every 3 online gaming computer stations. Based on this requirement, the use requires 14 parking spaces. The site has sufficient parking for this use.

Access to the applicant's 4,000 square foot tenant space is via a 42-foot wide driveway from Ardenwood Boulevard.

WASTE MANAGEMENT: This project involves interior tenant improvements and use that is subject to the provisions of the California Integrated Waste Management Act of 1989 (AB939). The Act requires that 50% of the waste generated in the City of Fremont be diverted from landfill sites by the year 2000. Additionally, the project is subject to the City's Source Reduction and Recycling Element (1992), an Integrated Waste Management Ordinance (1995), and a Commercial/Industrial Recycling Plan (1997). These documents require that any new project for which a building permit application is submitted to include adequate, accessible, and convenient areas for collecting and loading trash and recyclable materials. Any trash/recycling enclosure for the project shall be designed in a manner to be architecturally compatible with nearby structures and with the existing topography and vegetation in accordance with such standards. Additionally, the applicant will be required to provide recycling collection bins within the facility conveniently located in the café area.

ENVIRONMENTAL ANALYSIS: This project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act Section 15301, Class 1, Existing Facilities.

PUBLIC CORRESPONDENCE: To date, no comments have been received.

ENCLOSURES: Exhibit "A" (Proposed Site Plan and Floor Plan)
Informational (Proposed Statement)

EXHIBITS: Exhibit "A" (Site Plan and Floor Plan)
Exhibit "B" (Findings and Conditions of Approval)

RECOMMENDED ACTIONS BY THE PLANNING COMMISSION:

1. Hold public hearing.
2. Find that this project has been determined to be exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act Section 15301, Class 1, Existing Facilities.
3. Find PLN2003-00020 is in conformance with the relevant provisions contained in the City's existing General Plan. These provisions include the designations, goals and policies set forth in the General Plan's Land Use Chapter as enumerated within the staff report.
4. Approve PLN2003-00020, as shown on Exhibit "A", subject Findings and Conditions of Approval in Exhibit "B".

Exhibit "B"
Findings and Conditions of Approval
for Studio 84 (PLN2003-00020)

FINDINGS FOR APPROVAL

The findings below are made on the basis of information contained in the staff report to the Planning Commission dated September 26, 2002, incorporated herein:

- a) The site is suitable and adequate for the proposed use because the request is an application for an amusement center, which requires a minor amendment [Conditional Use Permit] to the commercial planned district. The planned district allows for a variety of uses both permitted and conditionally permitted, and the proposed use, subject to conditions, will be consistent with the purposes of the planned district zoning. Through conditions, the use of the tenant space will be compatible with the surrounding commercial properties and the proposed use will be conducted in accordance with the City ordinances, ensuring compliance with the development standards of the planned district.
- b) The proposed use would not have a substantial adverse effect on traffic circulation, the planned capacity of the street system or other public facilities or services because points of ingress-egress are properly located, sufficient parking is provided, and adequate fire fighting equipment access and facilities are available. In fact, the use is located off an arterial [Ardenwood Boulevard] and has convenient access from State Route 84.
- c) The proposed use would not have a substantial adverse economic effect on nearby uses because there are no karaoke or online gaming facilities in the immediate vicinity, or in the City, providing such services to the traveling public.
- d) The proposed use would not have a substantial adverse impact on the general welfare of persons residing in the community because the proposed use is properly located within an established shopping center on a fully developed site where its use is suitable with and compatible with its location and surroundings. Appropriately, the use has been restricted and, through conditions, impacts on the adjacent commercial neighbors can be minimized. The conditions imposed, as a result of this planned district minor amendment [Conditional Use Permit], will provide restricted hours of operation, lighting, surveillance, and security.
- e) The proposed use is compatible with existing and proposed development within the planned district and its surroundings because the 4,000 square foot tenant space will only require interior modifications and there will be no need for exterior modifications to the existing shopping center.
- f) The proposed use is consistent with the General Plan. The General Plan relies on the planned district to direct development for allowable uses in this area. The general plan and planned district encourage those commercial uses oriented towards serving the traveling public. The project meets the goals of the General Plan for this area in that it will provide amusement services to the traveling public given its location on an arterial and close proximity from Route 84.
- g) No public improvement or facilities are required as part of this approval, as well as the required assessment of development impact fees.
- h) The proposed use will comply with the provisions and conditions of the planned district and all applicable laws. Noncompliance with any of the Conditions of Approval, Federal, State or local laws could result in revocation of the use.

CONDITIONS OF APPROVAL

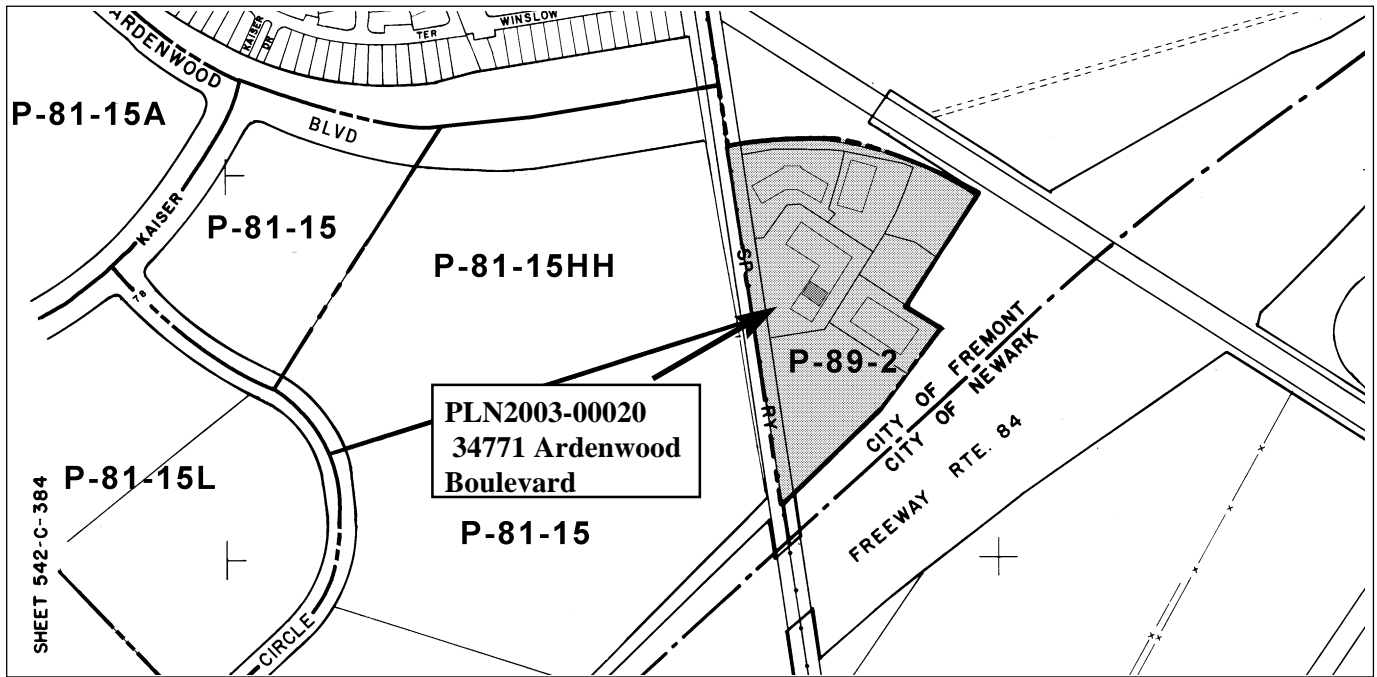
1. Approval of PLN2003-00020 shall conform to Exhibit "A" (Site Plan and Floor Plan) and applies only to the 4,000 square foot tenant space denoted on the site and floor plan. The use approved includes 11 karaoke stations, 14 electronic gaming stations accessing pre-selected internet gaming sites and a café (as indicated in the Applicant's Proposed Operation (Informational 1)). The floor plan proposed for building permits shall substantially conform to the plans submitted for this application, stamped and dated October 10, 2002, except as modified herein. The requested minor amendment will only supercede that floor area portion as identified in Exhibit "A" of the previously approved major planned district amendment (P-89-2C) for and accommodated by the arcade.
2. The use at the facility shall not engage and/or render any services as defined in Chapter 10 of the Fremont Municipal Code relating to "Adult Oriented Businesses", unless a valid "Adult-Oriented Business Permit" is obtained and an approval of a Major Amendment to this Planned District is approved by City Council.
3. The interior tenant improvements related to the proposed use must comply with all fire and building Federal, State and local code requirements.
4. The floor plan must always meet access/egress requirements of the Building Division and Fire Department. In addition, the applicant shall submit and receive approval of a Fire Exit Plan from the City's Fire Department. The plan shall address all exiting requirements to meet the requirements of all federal, state and local building codes. This includes, but is not limited to, providing an exiting plan showing equipment location, aisle locations and dimension widths, and having approved exit doors and panic hardware where necessary.
5. The hours of operations for the facility shall be limited to 3 p.m. to 11 p.m. Sunday through Thursday and 3 p.m. to 1 a.m. Friday and Saturday. The facility will be closed on Monday. Minor modification of these hours of operation may be permitted if requested in writing, subject to the review and approval of the Assistant City Manager. All patrons must be off the premises within 30 minutes after the facility's closure.
6. Should the applicant receive an approved amendment to the hours of operation by the Assistant City Manager, no minors under the age of 18 shall be allowed within the establishment in the business hours before 3 p.m. on regular school days, unless accompanied by a parent or guardian age 21 or older. However, due to the City's curfew law, minors must be accompanied by an adult age 21 or older after 10 p.m. on any given allowed business day.
7. Lighting within the facility, especially within the hallways and all stations, shall be established and kept at a level not less than forty (40) watts per hundred (100) square feet of floor area to provide visibility and to ensure the safety of patrons, employees, security and emergency personnel. The established lighting within the facility will be subject to the review, modification and approval of the City's Police Department.
8. The front exterior windows shall be maintained free and clear. No tinting or blinding of the exterior windows shall be allowed. Posters and signs shall be displayed in a manner that does not obstruct the view of the interior area from outside of the facility. The interior wall adjacent to the exterior windows shall be redesigned or removed to allow unobstructed view of the interior area of the establishment.
9. The seating area within the lobby shall be maximized, if feasible, for those patrons waiting for service. No exterior loitering shall be allowed. All patrons waiting for service must wait in the designated lobby. No waiting list may be maintained beyond the seating capacity provided in the lobby. If necessary, the applicant may revise the floor plan to increase the lobby area for providing additional waiting seats, subject to the review and approval of the Assistant City Manager.
10. The walls separating the establishment from adjacent commercial tenants shall employ effective noise attenuating devices to achieve a minimum standard transmission coefficient (STC) sound rating of 45-50. Such wall shall be soundproofed where no amplified music shall be audible on the exterior of the premises or adjoining tenant spaces. Should the improvements installed not provide acceptable noise levels, or should the noise emanating from the establishment cause noticeable discomfort to adjacent tenants, the establishment may be required to

install additional noise attenuating devices. In doing so, the applicant may be required to request the services of a professional consultant specializing in noise attenuating devices to mitigate such impacts.

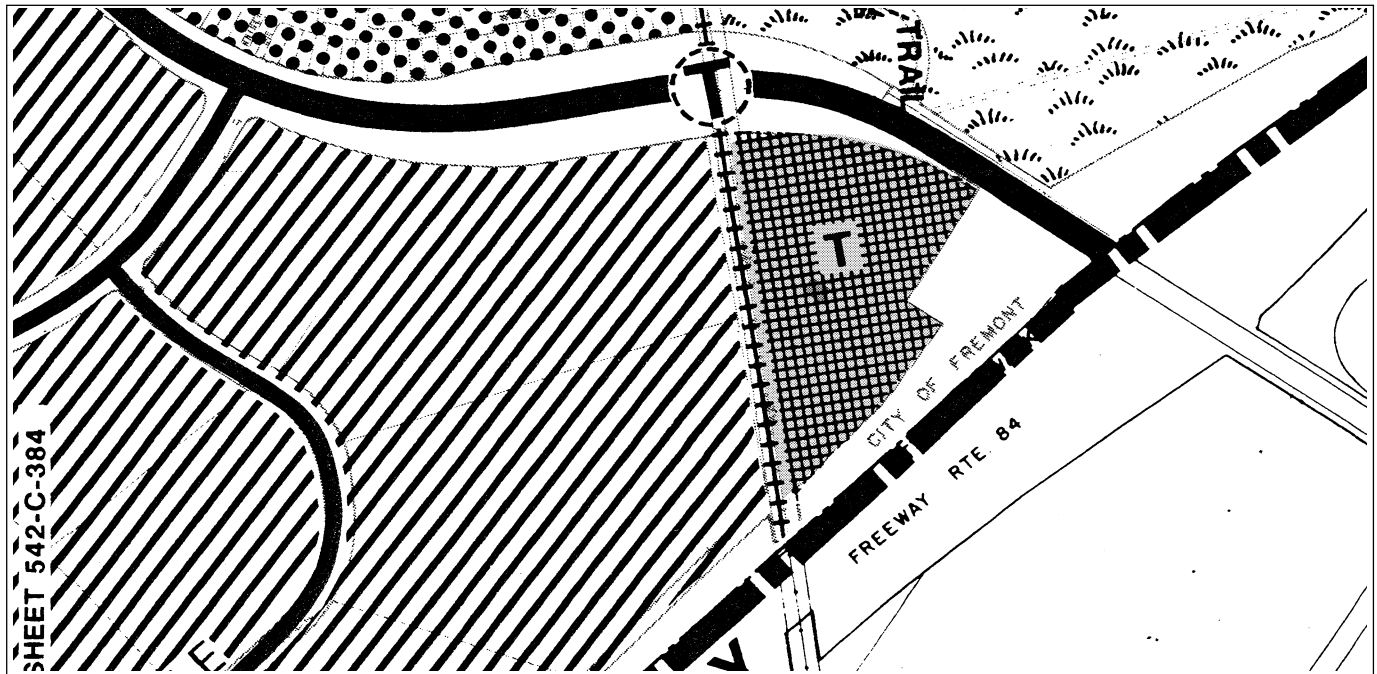
11. The conceptual details of the proposed, café, shall be provided in the revised plans. This component of the facility will be subject to the review and approval of the Plans and Permit Section of the City and all other applicable State and County health regulatory agencies. Additionally, the applicant will be required to provide recycling collection bins within the facility conveniently located in the café area.
12. An exterior lighting plan for the exterior entry and applicable parking area, including specifications of existing or proposed fixtures, shall be submitted to and approved by the City's Plans and Permits Section prior to the issuance of a building permit. The parking lot is to be well lit, at least one foot candle, during hours of darkness up until one hour past closing time.
13. The existing security guard provided by the Ardenwood Retail Associates for the entire premises may be used to provide security for the proposed facility during those hours provided. The applicant/operator will be required, at their cost, to either (a) extend the contract with the existing security firm as retained by the Ardenwood Retail Associates or (b) retain a different security firm qualified to cover any hours of operation left uncovered. Ultimately, the responsibility is upon the applicant/operator of the facility to provide adequate security at the facility by retaining at least one security guard during all hours of operation. Such security guard shall be charged with preventing violations of law and enforcing compliance by patrons of the stated prohibitions for the facility and ensuring that all patrons have left the premises within 30 minutes after the facility's closure. The Security guard shall be uniformed in a manner distinct in color, style, design and appearance from a city police department or city uniform so as to be readily identifiable as a private security guard by the public and shall be duly licensed as a security guard as required by applicable provisions of state law. No security guard is permitted to act as a door person, admittance person, or sole occupant of the manager's station while acting as a security guard. Additionally, the security guard may not engage in the online gaming, karaoke services provided at the facility or any other services within the shopping premises while on duty. The applicant will be required to provide proof to the Assistant City Manager prior to building permit issuance that at least one security guard from a qualified private security firm(s) is retained and is adequate in providing security for the facility during all hours of operation.
14. Should additional security measures be needed in order to address any public safety concerns arising from the business, the applicant shall provide those additional security measures as requested by the City's Police Department and/or Assistant City Manager.
15. The use shall provide full time adult attendants or supervisors, eighteen (18) years of age or older. No employees shall be under the age of 18. An adult manager, age 25 years or older, shall be on site during all business hours and shall be responsible for maintaining order inside the establishment.
16. The applicant shall work with the Police Department to review and upgrade (if necessary) surveillance equipment installed on site. Surveillance shall be provided for the front lobby and all hallway areas. Surveillance monitors will be located at the front lobby and will be monitored by the adult manager at the site. The Police Department shall approve the proposed surveillance equipment prior to the issuance of a business license and approval of building permits. The recorded surveillance tapes shall be kept for a period of no less than one month or 30 working days.
17. All karaoke stations shall be limited to the approved appurtenances; no Internet service or online electronic gaming shall be allowed within these stations. The online electronic gaming shall be limited to the area demarked on the approved plans and all computer stations shall be identified (e.g., numbered stations) with a system to track usage by patrons
18. All patrons entering the facility must provide picture identification before engaging in any service rendered at the facility to ensure that those patrons are adhering to the facility's regulations and conditions. A log must be kept for the online gaming services rendered at the facility. Such log shall be maintained for at least 120 days and surrendered to any city official upon request. The log shall include the patron's name, a state license/school identification number, date and time service rendered, and specific station within the online gaming section of the facility retained for the service.

19. The second floor/mezzanine floor shall be used for storage purposes only; no services or office use is allowed on this level.
20. No expansion to the proposed use will be permitted, unless the City's Planning Commission approves a amendment for the expansion.
21. There shall be no alcoholic beverages sold or possessed by anyone within the facility. No intoxicated person shall be permitted to enter or remain in the establishment, nor shall there be consumption of alcohol in the premises.
22. Money exchange shall only occur within the lobby area. Not barring any federal, state or building code requirements, if possible, the counter where money exchange occurs in the lobby shall be on a raised platform,
23. Restrooms shall remain operational and available to patrons during all hours of operation.
24. "No loitering," signs shall be installed in the parking lot in locations approved by the Police Department. These "no loitering," signs shall be purchased from the City's Revenue Division.
25. The applicant or successor in interest shall conform to the conditions of approval herein and all other applicable ordinances of the Fremont Municipal Code.
26. All conditions applicable to patrons, particularly the stated prohibitions included in these "Conditions of Approval", of the facility incorporated herein shall be conspicuously posted in the front lobby area in a sign at the entrance with lettering of at least two (2) inches in size.
27. This report and its conditions shall be kept on the premises and made available to any officer/employee of the City upon request.
28. The applicant/operator shall notify the Zoning Administrator upon completion of all necessary improvements to the tenant space. A final inspection of the facility will be conducted by the City's Police Department to ensure that all safety devices are installed.
29. Should the City receive any complaints arising from the facility's use and/or an indication that the facility's use has resulted in an increased need for service calls from emergency personnel (i.e., the Police Department), the Assistant City Manager is authorized to refer this Planned District Minor Amendment to the Planning Commission. The Planning Commission may require modifications to the facility's "Conditions of Approval", or revoke the permit entirely, if it has been found that the use has caused a substantial adverse impact on the community.

INFORMATIONAL



Existing Zoning



Existing General Plan

Project Number: PLN2003-00020 (PD Minor Amendmen)
Project Name: Studio 84
Project Description: To consider a planned district minor amendment to P-89-2 to allow a karaoke and online gaming (cyber cafe') facility at 34771 Ardenwood Blvd. in the Northern Plain Planning Area.

Note: Prior arrangements for access are not required for this site.

